

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

RICHARD DWAYNE VAUGHN  
LESLIE SUE VAUGHN

Debtors

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CASE NO. 04-10069

DECISION AND ORDER

At Fort Wayne, Indiana, on June 1, 2006.

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with their motion to refinance to pay off the does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice differs from Local Bankruptcy Forms 3a and 3b, by omitting language those forms contain, so that it is not "substantially similar thereto." N.D. Ind. L.B.R. B-2002-2(c).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereof within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court